



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 12, 2014

MEMO ENDORSED

BY EMAIL

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 12/15/14

Re: *United States v. Leonides Sierra, et al.*,
S5 11 Cr. 1032 (PAE)

Dear Judge Engelmayer:

The Government respectfully writes in accordance with the Court's order of December 3, 2014, regarding a possible superseding Indictment in the above-referenced matter. Last week, the Government informed defense counsel for all defendants scheduled to begin trial on February 9, 2015, that it is considering superseding to add charges relating to the March 27, 2010 murder of Richard Canela, as well as two violent incidents which took place in the vicinity of E. 170th Street in the Bronx, New York, in the Spring and Summer 2010. The Government provided the basic details of these incidents to counsel.

At this time, there are no further incidents that the Government would seek to specifically include in a potential superseding Indictment against the four defendants scheduled for the February trial. There are additional incidents, however, that the Government would prove at trial as evidence of each defendant's participation in the Racketeering Conspiracy. Accordingly, the Government will prepare an updated enterprise letter, which, with the Court's permission, will be provided to counsel on or prior to January 7, 2015.

Thank you for your consideration of this matter.

Respectfully submitted,

PREET BHARARA
United States Attorney
Southern District of New York

By: /s/
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Micah Smith
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Cc: Counsel for Anderson Abreu, Jugo Cespedes, Hargelis Vargas, and Manuel Geraldo

The Court appreciates this notification.

SO ORDERED:

12/15/14

Paul A. Engelbagen

HON. PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE